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PTO/SB/05 (03-01)

Approved for use through 10/31/2002. OMB 0651-0632

U.S. Patent and Trademark Office: U.S. DEPARTMENT OF COMMERCE

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**UTILITY  
PATENT APPLICATION  
TRANSMITTAL**

Attorney Docket No. 0307091.0158

First Inventor

LIGHTNER, et al

Title

Internet-Based Emissions Test for Vehicles

Express Mail Label No.

ET801639946US

(Only for new nonprovisional applications under 37 C.F.R. 1.53(b))

**APPLICATION ELEMENTS**

See MPEP chapter 600 concerning utility patent application contents

1. ☒ Fee Transmittal Form (e.g., PTO/SB/17)  
(Submit an original and a duplicate for fee processing)
2. ☐ Applicant claims small entity status.  
See 37 CFR 1.27.
3. ☒ Specification [Total Pages 46]  
(preferred arrangement set forth below)  
- Descriptive title of the Invention  
- Cross Reference to Related Applications  
- Statement Regarding Fed sponsored R & D  
- Reference to sequence listing, a table,  
or a computer program listing appendix  
- Background of the Invention  
- Brief Summary of the Invention  
- Detailed Description of the Drawings (if filed)  
- Claim(s)  
- Abstract of the Disclosure
4. ☒ Drawing(s) (35 U.S.C. 113) [Total Sheets 8]  
[Total Pages 2]  
a. ☐ Newly executed (original or copy)  
b. ☒ Copy from a prior application (37 CFR 1.63 (d))  
(for a continuation/divisional with Box 18 completed)
5. ☐ DELETION OF INVENTOR(S)  
Signed statement attached deleting inventor(s).  
named in the prior application, see 37 CFR  
1.63(d)(2) and 1.33(b).
6. ☐ Application Data Sheet. See 37 CFR 1.76

**ADDRESS TO:**Assistant Commissioner for Patents  
Box Patent Application  
Washington, DC 20231

7. ☐ CD-ROM or CD-R in duplicate, large table or  
Computer Program (Appendix)
8. Nucleotide and/or Amino Acid Sequence Submission  
(if applicable, all necessary)
- a. ☐ Computer Readable Form (CRF)
- b. Specification Sequence Listing on:
- i. ☐ CD-ROM or CD-R (2 copies); or
- ii. ☐ paper
- c. ☐ Statements verifying identity of above copies

**ACCOMPANYING APPLICATIONS PARTS**

9. ☒ Assignment Papers (cover sheet & document(s))
10. ☒ 37 C.F.R. § 3.73(b) Statement (when there is an assignee) ☒ Power of Attorney
11. ☐ English Translation Document (if applicable)
12. ☐ Information Disclosure Statement (IDS)/PTO-1449 ☐ Copies of IDS Citations
13. ☒ Preliminary Amendment
14. ☒ Return Receipt Postcard (MPEP 503)  
(Should be specifically itemized)
15. ☐ Certified Copy of Priority Document(s)  
(if foreign priority is claimed)
16. ☒ Nonpublication Request under 35 U.S.C. 122  
(b)(2)(B)(i). Applicant must attach form PTO/SB/35  
or its equivalent.
17. ☐ Other.

18. If a CONTINUING APPLICATION, check appropriate box, and supply the requisite information below and in a preliminary amendment,  
or in an Application Data Sheet under 37 CFR 1.76.

☒ Continuation ☐ Divisional ☐ Continuation-in-part (CIP)

of prior application No. 02 / 908,440

Prior application information: Examiner Unknown

Group / Art Unit: 2178

For CONTINUATION or DIVISIONAL APPS only: The entire disclosure of the prior application, from which an oath or declaration is supplied  
under Box 5b, is considered a part of the disclosure of the accompanying or divisional application and is hereby incorporated by reference.  
The incorporation can only be relied upon when a portion has been inadvertently omitted from the submitted application parts.

**19. CORRESPONDENCE ADDRESS**☒ Customer Number or Bar Code Label

35602

or ☐ Correspondence address below

(Insert Customer No. or Attach bar code label here)

Name Stephen C. Glazier  
Kirkpatrick & Lockhart LLP  
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Name (Print/Type)

Stephen C. Glazier

Registration No. (Attorney/Agent)

31,361

Signature

Date

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1551 U.S. PTO  
10/6/15516  
07/08/03

11707 U.S. PTO  
07/08/03

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# FEE TRANSMITTAL for FY 2003

Patent fees are subject to annual revision.

☐ Applicant claims small entity status. See 37 CFR 1.27

TOTAL AMOUNT OF PAYMENT (\$) \$ 2990

## Complete if Known

Application Number Not Yet Assigned  
Filing Date Herewith  
First Named Inventor LIGHTNER, et al  
Examiner Name  
Group / Art Unit  
Attorney Docket No. 0307091.0158

## METHOD OF PAYMENT (check all that apply)

☒ Check ☐ Credit card ☐ Money ☐ Other ☐ None  
Order

☒ Deposit Account

Deposit  
Account  
Number

5017/21

Deposit  
Account  
Name

Krispatrick & Lockhart LLP

The Commissioner is authorized to: (check all that apply)

☐ Charge fee(s) indicated below ☒ Credit any overpayments  
☒ Charge any additional fee(s) during the pendency of this application  
☐ Charge fee(s) indicated below, except for the filing fee to the above-identified deposit account

## FEE CALCULATION

### 1. BASIC FILING FEE

Large Entity	Fee Code (\$)	Fee (\$)	Small Entity	Fee Code (\$)	Fee (\$)	Fee Description	Fee Paid
1001	740	2001	370			Utility filing fee	750
1002	330	2002	165			Design filing fee	
1003	510	2003	255			Plant filing fee	
1004	740	2004	370			Reissue filing fee	
1005	160	2005	80			Provisional filing fee	

SUBTOTAL (1)

(\$ 750)

### 2. EXTRA CLAIM FEES

Total Claims	98	-20**	= 78	Extra Claims	Fee from below	Fee Paid
Independent Claims	12	-3**	= 9	X 84	= 756	
Multiple Dependent				X	= 0	

Large Entity	Fee Code (\$)	Fee (\$)	Small Entity	Fee Code (\$)	Fee (\$)	Fee Description
1202	18	2202	9			Claims in excess of 20
1201	84	2201	42			Independent claims in excess of 3
1203	280	2203	140			Multiple dependent claim, if not paid
1204	84	2204	42			Reissue independent claims over original patent
1205	18	2205	9			Reissue claims in excess of 20 and over original patent

SUBTOTAL (2)

(\$ 2190)

## FEE CALCULATION (continued)

### 3. ADDITIONAL FEES

Large Entity	Fee Code (\$)	Fee (\$)	Small Entity	Fee Code (\$)	Fee (\$)	Fee Description	Fee Paid
1051	130	2051	65			Surcharge - late filing fee or oath	
1052	50	2052	25			Surcharge - late provisional filing fee or cover sheet	
1053	130	1053	130			Non-English specification	
1812	2,520	1812	2,520			For filing a request for reexamination	
1804	020*	1804	020*			Requesting publication of SIR prior to Examiner action	
1805	1,840*	1805	1,840*			Requesting publication of SIR after Examiner action	
1251	110	2251	55			Extension for reply within first month	
1252	400	2252	200			Extension for reply within second month	
1253	920	2253	460			Extension for reply within third month	
1254	1,440	2254	720			Extension for reply within fourth month	
1255	1,960	2255	980			Extension for reply within fifth month	
1401	320	2401	160			Notice of Appeal	
1402	320	2402	160			Filing a brief in support of an appeal	
1403	280	2403	140			Request for oral hearing	
1451	1,510	1451	1,510			Petition to institute a public use proceeding	
1452	110	2452	55			Petition to revive - unavoidable	
1453	1,280	2453	640			Petition to revive - unintentional	
1501	1,280	2501	640			Utility issue fee (or reissue)	
1502	460	2502	230			Design issue fee	
1503	620	2503	310			Plant issue fee	
1490	130	1490	130			Petitions to the Commissioner	
1807	50	1807	50			Processing fee under 37 CFR 1.17 (t)	
1806	180	1806	180			Submission of Information Disclosure Stmt	
8021	40	8021	40			Recording each patent assignment per property (times number of properties)	80
1809	740	2009	370			Filing a submission after final rejection (37 CFR § 1.129(a))	
1810	740	2810	370			For each additional invention to be examined (37 CFR § 1.129(b))	
1801	740	2801	370			Request for Continued Examination (RCE)	
1802	900	1802	900			Request for expedited examination of a design application	

Other fee (specify) \_\_\_\_\_

\*Reduced by Basic Filing Fee Paid

SUBTOTAL (3)

(\$ 80)

\*\*or number previously paid, if greater; For Reissues, see above

## SUBMITTED BY

Name (Print/Type)

Stephen E. Glazier

Registration No. Attorney/Agent)

31,361

Telephone

202-778-9045

Signature:

Date

2 July 03

WARNING: Information on this form may become public. Credit card information should not be included on this form. Provide credit card information and authorization on PTO-2038.

This collection of information is required by 37 CFR 1.17 and 1.27. The information is required to obtain or retain a benefit by the public which may be filed (and by the USPTO to process) an application. Confidentiality is governed by 35 U.S.C. 122 and 37 CFR 1.14. This collection is estimated to take 12 minutes to complete, including gathering, preparing, and submitting the completed application form to the USPTO. Time will vary depending upon the individual case. Any comments on the amount of time you require to complete this form and/or suggestions for reducing this burden should be sent to the Chief Information Officer, U.S. Patent and Trademark Office, U.S. Department of Commerce, Washington, DC 20531. DO NOT SEND FEES OR COMPLETED FORMS TO THIS ADDRESS. SEND TO: Commissioner for Patents, Washington, DC 20531.

If you need assistance in completing this form, call 1-800-PTO-5199 (1-800-776-5199) and select option 2.

<b>NONPUBLICATION REQUEST                  UNDER                  35 U.S.C. 122(b)(2)(B)(i)</b>	First Named Inventor	LIGHTNER, et al
	Title	Internet-Based Emissions Test for Vehicles
	Atty Docket Number	0307091.0158

I hereby certify that the invention disclosed in the attached application **has not and will not be** the subject of an application filed in another country, or under a multilateral agreement, that requires publication at eighteen months after filing. I hereby request that the attached application not be published under 35 U.S.C. 122(b).

2 July 03  
 Date

  
 Signature

CERTIFICATE OF MAILING BY EXPRESS MAIL Express Mail Label No. ET 801839946US I hereby certify under 37 CFR §1.10 that this correspondence is being deposited with the United States Postal Service as Express Mail Post Office to Addressee with sufficient postage on the date indicated below and is addressed to the Commissioner of Patents, Alexandria, VA 22304-1450. Date of Deposit 8 July 2003 Signature Carlo Coltrane Typed or Printed Name of Person Signing Certificate Carlo Coltrane
--

Stephen C. Glazier

Typed or printed name

This request must be signed in compliance with 37 CFR 1.33(b) and submitted with the application **upon filing**.

Applicant may rescind this nonpublication request at any time. If applicant rescinds a request that an application not be published under 35 U.S.C. 122(b), the application will be scheduled for publication at eighteen months from the earliest claimed filing date for which a benefit is claimed.

If applicant subsequently files an application directed to the invention disclosed in the attached application in another country, or under a multilateral international agreement, that requires publication of applications eighteen months after filing, the applicant **must** notify the United States Patent and Trademark Office of such filing within forty-five (45) days after the date of the filing of such foreign or international application. **Failure to do so will result in abandonment of this application (35 U.S.C. 122(b)(2)(B)(iii)).**